February 14, 2025

Professor Alberto Baca
President
Montgomery College Chapter
American Association of University Professors
Rockville, MD

Dear Professor Baca:

This confirms the understanding reached between the College and the Chapter regarding E-learning course offerings and instructional materials. After review and good faith discussion, the parties have modified the 2015 agreement regarding distance education offerings based on experience over the last three years. The parties intend that these provisions shall be effective from September 1, 2024, until September 1, 2027, and can be modified or revised by mutual agreement. If negotiations for a new agreement are not complete by September 1, 2027, the current agreement will continue to be in effect until a new agreement is reached. Thereafter, the provisions can be incorporated into the negotiated Agreement between the parties by mutual agreement.

The E-learning Side Letter applies to credit and non-credit courses and online instructional materials that are defined as follows:

Online Section: An online section provides 100 percent of instruction solely through a course management system. Assessments and/or orientations may be completed online or at an on-campus or off-campus proctored location, based on faculty preference.

Blended Online Section: A blended online section combines face-to-face classroom instruction and online internet-based learning using a course management system.

Online Live Classroom Section (Currently Structured Remote):
An online live classroom section provides 100 percent of instruction entirely through a course management system and a synchronous classroom program, such as Zoom. Assessments may be completed online or at an on-campus or off-campus proctored location, based on faculty preference.

Blended Online Live Classroom Section (Currently Blended Structured Remote): A blended online live classroom section combines face-to-face classroom instruction and synchronous classroom learning using software, such as Zoom.

Open Educational Resources (OER) Materials: Open Educational Resources are freely available teaching materials that the author has licensed in an open format, such as, but not limited to Creative Commons. The open format allows others to re-use and adapt the materials with little or no restrictions. The materials can include (but are not limited to) full courses, textbooks, lecture notes, slides, videos, handouts, tutorials, assignments, assessments, or other relevant instructional course materials.

Z-course: Z-course sections do not require students to purchase a textbook (or other course materials) because the instructor has chosen to use Open Educational Resources (OER), or other instructional course materials, which have no cost to students.

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Emerging Technologies
Because of the swiftly changing nature of E-learning technologies, new formats for online teaching in addition to those defined above may emerge. It is assumed that all emergent distance formats are covered under the provisions of the current side letter, until additional negotiations to include those new technologies take place.

In addition, most E-learning issues regarding training and course scheduling will involve conversations between the Dean of MC Online and Academic Support and the Instructional Dean. Oversight of faculty is the responsibility of the Instructional Dean.

Training

Faculty with no documented experience of teaching online and who wish to develop a distance education course must complete Online Teaching. Faculty new to Montgomery College with experience teaching online can receive credit for prior learning as an alternative approach. This opportunity will be evaluated against a set of performance standards reflecting MC's expectations for teaching online. Faculty interested in this approach will submit evidence that will be evaluated by the Office of E-Learning, Innovation and Teaching Excellence.

<u>E-Learning Remuneration:</u>

In recognition of the additional training and time needed for the development of courses and instructional materials delivered through online technology, faculty may choose to apply for remuneration:

1. For the development or adaptation of a fully OER course or course textbook by a single faculty member for their use only in a specific semester
   a. A faculty member will be paid at 1 ESH per course hour during the semester in which they are developing the course(s) or OER materials for the first two courses.
   b. A faculty member will be paid .5 ESH per course hour during the semester in which they are making significant adaptations to existing OER materials or textbooks for inclusion in a course.
   c. A faculty member who has been remunerated for the development of an online course or courses may request additional remuneration for the redesign of the course as a fully OER course or for the design of an OER textbook provided that a minimum of 2 years has elapsed between the development of the course and the development of the OER.
   d. A faculty member can ask to be compensated for the development of additional courses and/or OER material or significant redevelopment of existing courses and/or OER materials with their Instructional Dean and the Dean of MC Online and Academic Support.
   e. Faculty members should review the Montgomery College Intellectual Property policy (PNP 68001) for ownership of intellectual property.
      https://www.montgomerycollege.edu/_documents/policies-and-procedures/68001-intellectual-property.pdf

2. For the development of common courses and/or for the development or adaptation of a fully OER course or course textbook by a team of faculty
   a. Identification: Potential common courses and OER courses or materials may be identified and recommended for development by College administration or academic disciplines when they fit the criteria below.

b. Definition: A common course is a generic course that can be replicated for use with reduced training requirements by multiple instructors. A common course is categorized as such if there is a minimum of three sections taught by a minimum of three faculty members per semester. In addition, team-designed OER courses or materials are generic OER that can be shared for use by multiple instructors or course sections without requiring the same level of instructional training as needed for individually developed and managed course shells:

- Uses the Course Management System(s) selected by the college (online course and OER)
- Reflects accepted discipline, departmental, and College standards (online course and OER)
- Reflects the Montgomery College Standards for Online Teaching and the standards in the Online Course Observation Form (online course)
- Is ideally designed and developed collaboratively by discipline faculty representing Montgomery College's campuses that offer the course together with instructional designers from the Office of E-Learning, Innovation, and Teaching Excellence (online course and OER
- Is complete and usable, with only minimal editing, by any trained discipline instructor; is sufficiently detailed that no additional online or OER course materials are required (online course and OER)
- Requires a common course coordinator to upload and/or maintain more than three sections taught by multiple instructors during the Fall semester, Winter/Spring semester, or collective Summer sessions (online course and OER)
- Is customizable by trained faculty (online course and OER)
- Meets the essential standards for well-designed courses set by Quality Matters (online course)
- Is a course developed by Montgomery College faculty specifically for our student population (online course)

c. Development: Faculty members will be paid at a minimum of 1 ESH per course hour divided among the faculty participants based on the work expectations during the semester(s) in which they are developing the course(s). The charts below suggest standard divisions of ESH based upon work expectations, though these may be redistributed according to the needs of the individual development team, and with the agreement of its members. In addition, with the submission of a development plan approved by the Instructional Dean and Dean of MC Online and Academic Support, an academic department-approved team may request remuneration for additional semesters to complete the development of a common course or team-designed OER materials. Work is expected to be completed during the semester ESH is awarded.

Option 1: Two semester development process with Lead faculty designing and support faculty revising		
	Sem 1	Sem 2
Lead Faculty	2/3 designated ESH	¾ designated ESH
Support Faculty (shared)	1/3 designated ESH	¼ designated ESH
Option 2: Two semester development process with Lead faculty and support faculty co-designing		
	Sem 1	Sem 2
Lead Faculty	2/3 designated ESH	2/3 designated ESH
Support Faculty (shared)	1/3 designated ESH	1/3 designated ESH
Option 3: 1 semester development process with a preexisting course or OER designed by lead faculty member and revisions by support faculty		
		Sem 1
Lead Faculty		2/3 designated ESH
Support Faculty (shared)		1/3 designated ESH

d. Course coordination: After a common course site is developed, a course coordinator is required to maintain the course and to work towards Quality Matters Certification for high quality online course design. A course coordinator must have completed or be exempted from the Montgomery College Online Teaching course prior to being appointed as coordinator. ESH for common course coordination will be provided by the Office of E-Learning, Innovation, and Teaching Excellence. Because of the varying size and nature of common courses within different disciplines, every course coordinator will not necessarily do all of the same tasks (please refer to the E-Learning Common Course project document for potential tasks associated with coordination). The Common Course Coordinator and Dean of MC Online and Academic Support negotiate which tasks will be needed. Then, the amount of ESH provided for coordinating is established in negotiation among the Coordinator and the Dean based upon the agreed upon tasks. Coordination ESH will be provided as follows: 1 ESH for three sections, 1.5 ESH for four sections, and 2 ESH for five or more sections. The tasks, approximate hours, and amount of ESH should be agreed upon by the date of the final schedule proof for each term to ensure scheduling continuity.

e. OER Maintenance: After a team-designed OER course or textbook is developed, an individual is required to periodically maintain and update the materials to ensure currency and relevance. An OER coordinator must have prior experience in developing or significantly adapting OER materials prior to being assigned as coordinator. ESH for OER maintenance will be provided by the Office of E-Learning, Innovation, and Teaching Excellence. Because of the varying size and nature of common courses within different disciplines, every OER coordinator will not necessarily do all of the same tasks. The OER Coordinator and Dean of MC Online and Academic Support negotiate which tasks and how often they will be needed. Then, the amount of ESH provided for coordinating is established in negotiation among the Coordinator, and the Dean based upon the agreed upon

maintenance schedule and tasks. Coordination ESH may range between a minimum of .25 ESH (approximately 10 hours of work) and 2 ESH (approximately 80 hours of work). The tasks, approximate hours, and amount of ESH should be agreed upon by the date of the final schedule proof for the term in which the materials will be updated to ensure scheduling continuity.

3. If a faculty member accepts payment for the development of an individual course or common course or OER but does not complete the development of that course within one academic year, or develops a course that is deemed unsatisfactory by their Instructional Dean, they are required to reimburse the College for all funds paid directly to the faculty member or paid on their behalf. The Dean of MC Online and Academic Support will communicate regularly with the Instructional Dean on development progress.

4. In the event of significant platform or version changes to the College-selected course management system that require retraining and/or redevelopment of materials, College management and the Chapter should negotiate additional compensation for faculty.

5. Additional development, delivery, support, and coordination of E-learning courses is paid for, as with any other type of course, only through mutual agreement among the faculty member, Instructional Dean and Dean of MC Online and Academic Support.

<u>Class size</u>

In determining class size for courses offered in an E-learning format, consideration should be given by the Instructional Dean and the Dean of MC Online and Academic Support to any unique features required of course delivery in this format that might significantly impact faculty workload and/or the educational experience of the students enrolled. When scheduling classes in an E- learning format, faculty members and the Deans will meet to discuss a consistent and appropriate class size for each online course offering before the deadline for the submission of the live online schedule. In addition, individual faculty members and Deans may meet to discuss whether an individual course section should have a greater or smaller class size based on a unique teaching situation.

<u>Response Time and Faculty Leave:</u>

The following are the minimum standards for interaction between faculty and students in online courses:
1. The instructor's response policies are clearly stated and do not exceed 2 business days, excluding weekends and holidays.
2. Communication policies are clearly stated (i.e. when to expect feedback, what kind of responses, where to find those responses).
3. The course is designed to take advantage of multiple modes of communication to give feedback.
4. The instructor has multiple methods to establish "presence" in the course site.

Just as a faculty member teaching on campus must report sick, professional development, bereavement, personal, or other leave when unable to meet with a class, even when other arrangements have been made for the class to complete its work, so must E-learning faculty report sick, professional development, bereavement, personal, or other leave when they are unable to meet with their online classes. While online faculty are not expected to participate in their classes every day, the Montgomery College standard

is for faculty to respond to students in online classes within 2 business days. If an instructor is not present or active in their course site for more than 3 business days, he or she must submit a request for the appropriate type of leave. When a faculty member is on leave, a message should be posted to students informing them that the instructor is on leave and the expected duration of that leave. During the leave period, the faculty member is not expected to be present in their online course.

Additional E-Learning Standards and Procedures:

There is a series of documents posted on the ELITE website related to E-Learning procedures and standards that were developed by a joint labor/management committee and accepted by the Office of the SVPAA/CP. These procedures and standards may be reviewed or revised with the side letter, or at other times as necessary, by an appointed labor/management committee, and they are not incorporated by reference into this Side Letter.

If these terms are consistent with the discussions and meet with the Chapter's approval, please sign and return one original of this letter.

Sincerely,

Date 2/14/2025

Alberto Baca, President
For the AAUP Chapter

Date 2/14/25

Carol Kliever, Director Employee
Engagement and Labor Relations for
Montgomery College